

AMENDED IN ASSEMBLY APRIL 20, 2005

AMENDED IN ASSEMBLY MARCH 31, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1270

Introduced by Assembly Member Gordon

February 22, 2005

An act to add Section 17074.22 to the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1270, as amended, Gordon. School facilities: modernization reimbursement: *El Segundo Unified School District*.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.

This bill would ~~prohibit the State Allocation Board from providing~~ permit modernization grant funding for a modernization project of the *El Segundo Unified School District* if the school district executed ~~into~~ a construction contract for that project ~~prior to August 27 after May 27, 1998, unless certain conditions apply.~~

This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 17074.22 is added to the Education~~
2 ~~Code, to read:~~
3 ~~SECTION 1. Notwithstanding any other law, a warrant~~
4 ~~issued after August 27, 1998, by the governing board of the El~~
5 ~~Segundo Unified School District relating to a contract that was~~
6 ~~executed after May 27, 1998, for a modernization project of the~~
7 ~~school district, has been, and is eligible for funding under Article~~
8 ~~7 (commencing with Section 17074.10) of Chapter 12.5 of Part~~
9 ~~10 of the Education Code.~~
10 ~~SEC. 2. Due to the unique circumstances concerning the El~~
11 ~~Segundo Unified School District, the Legislature finds and~~
12 ~~declares that a general statute cannot be made applicable within~~
13 ~~the meaning of Section 16 of Article IV of the California~~
14 ~~Constitution.~~
15 ~~SEC. 3. This act is an urgency statute necessary for the~~
16 ~~immediate preservation of the public peace, health, or safety~~
17 ~~within the meaning of Article IV of the Constitution and shall go~~
18 ~~into immediate effect. The facts constituting the necessity are:~~
19 ~~In order to address the fiscal crisis facing the El Segundo~~
20 ~~Unified School District at the earliest possible time, it is~~
21 ~~necessary that this act take effect immediately.~~
22 ~~17074.22. (a) Notwithstanding any other law, the board shall~~
23 ~~not provide a modernization grant funding to a school district for~~
24 ~~a modernization project if the district executed a construction~~
25 ~~contract for that project prior to August 27, 1998, unless either of~~
26 ~~the following exists:~~
27 ~~(1) In accordance with subdivision (a) of Section 100410, the~~
28 ~~application for the modernization project was made pursuant to~~
29 ~~the Leroy F. Greene State School Building Lease-Purchase Law~~
30 ~~of 1976 (Chapter 12 (commencing with Section 17000) of Part~~
31 ~~10) and was approved for construction, but funding was not~~
32 ~~available prior to November 4, 1998.~~
33 ~~(2) The modernization project was approved on the~~
34 ~~Year-Round Schools Air Conditioning/Insulation Program~~

1 ~~unfunded approval list in accordance with subdivision (a) of~~
2 ~~Section 42250.1.~~
3 ~~(b) The prohibition of this section does not apply to a warrant~~
4 ~~issued by the board after August 27, 1998, for a payment relating~~
5 ~~to a contract that was executed prior to May 27, 1998.~~

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